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DATE FILED: <u>10/28/2014</u>

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DIBA FAMILY LIMITED PARTNERSHIP, et al.,
Plaintiffs,

13 **CIVIL** 06384 (LGS)

-against-

JUDGMENT

DAVID ROSS, et al.,
Defendants.
-----X

Defendants having moved to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted, and the matter having come before the Honorable Lorna G. Schoefield, United States District Judge, and the Court, on October 27, 2014, having rendered its Memorandum Opinion and Order granting Defendants' Motion to Dismiss, denying Defendants' request for attorneys' fees, and directing the Clerk of the Court to close the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Opinion and Order dated October 27, 2014, Defendants' Motion to Dismiss is granted and Defendants' request for attorneys' fees is denied; accordingly, the case is closed.

Dated: New York, New York
October 28, 2014

RUBY J. KRAJICK

Clerk of Court

BY: _____

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**